



MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, JANUARY 3, 2008
AT 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting proceedings, not a verbatim transcription.*

1. CALL TO ORDER.

Commissioner Clark called the regular meeting to order at 6:05 p.m.

Commission members present: Mr. Johnny Bond, Ms. Helen Chavarria, Mr. John Clark, Mr. Ralph Davila, Mr. Robert Horton, Mr. G.H. Jones, and Mr. Michael Parks.

Commission members absent: Mr. Michael Beckendorf and Mr. Don Maxwell

Staff members present: Mr. Kevin Russell, Director of Development Services; Ms. Lindsey Guindi, Planning Manager; Ms. Julie Fulgham, Project Planner; Mr. Martin Zimmermann, Senior Planner; Mr. Randy Haynes, Staff Planner; Ms. Janis Hampton, City Attorney; Mr. Paul Kaspar, City Engineer; and Mr. Rodney Schmidt, Planning Intern.

Commissioner Clark announced that regular agenda item #7 (Planning Variance case no. PV 08-02 had been withdrawn at the request of the applicant. Commissioner Clark advised that there will be no public hearing on the matter.

2. ELECTION OF OFFICERS.

Commissioner Bond moved to nominate Commissioner Clark as the new Chairperson of the Bryan Planning & Zoning Commission. Commissioner Jones seconded the motion and the motion passed with a unanimous vote.

Commissioner Davila moved to nominate Commissioner Parks as the new Vice Chairperson of the Bryan Planning & Zoning Commission. Commissioner Bond seconded the motion and the motion passed with a unanimous vote.

Commissioner Horton moved to nominate Commissioner Maxwell as the new Parliamentarian of the Bryan Planning & Zoning Commission. Commissioner Jones seconded the motion and the motion passed with a unanimous vote.

3. HEAR CITIZENS.

No one came forward.

4. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were received.

5. CONSENT AGENDA.

A. Minutes from the workshop and regular meetings on December 6, 2007.

B. Master Plan MP07-07: Carraba Industrial Park **J. Fulgham**
Proposed Revised Master Plan of Carrabba Industrial Park, being 41.19 acres of land located near and around Gooseneck Drive and State Highway 21 in Bryan, Brazos County, Texas.

C. Final Plat FP07-32: Carraba Industrial Park – Phase 6 **J. Fulgham**
Proposed Final Plat of Carrabba Industrial Park – Phase 6, being 14.91 acres of land adjoining the eastern end of Roughneck Drive and in close proximity of Gooseneck Drive and State Highway 21 in Bryan, Brazos County, Texas.

D. Final Plat FP07-33: Bryan DPS District Office Subdivision **M. Zimmermann**
Proposed Final Plat of Bryan DPS District Office Subdivision, being 6.487 acres of land adjoining the south side of State Highway 6 East Bypass (North Earl Rudder Freeway) between the Bryan Regional Athletic Complex and Laura Lane in Bryan, Brazos County, Texas.

E. Final Plat FP07-34: Cottage Grove Subdivision – Phase 2B **J. Fulgham**
Proposed Final Plat of Cottage Grove Subdivision – Phase 2B, being 8.77 acres of land located southwest of the intersection Cottage Grove Circle and Amberglow Place in Bryan, Brazos County, Texas.

F. Street Closing SC07-01: South Randolph Street **R. Haynes**
A request to permanently close a 15-foot wide and 115-foot long segment of public right-of-way for South Randolph Street, south of its intersection with West 29th Street and adjoining Block 190 of the Bryan Original Townsite in Bryan, Brazos County, Texas.

Commissioner Jones moved to approve the Consent Agenda. Commissioner Horton seconded the motion.

Chairperson Clark asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

REQUESTS FOR APPROVAL OF VARIANCES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).

6. Planning Variance PV08-01: First Christian Church

J. Fulgham

A request for approval of a complete variance from the requirement to provide off-street parking, to allow the proposed construction of a 2,218-square foot building addition on property used by a religious institution without providing off-street parking, at 900 South Ennis Street located at the southwest corner of South Ennis and Homestead Streets, being an unnumbered 0.86-acre lot in Block 9 of Winter Estate Subdivision (Northern Half) in Bryan, Brazos County, Texas.

Ms. Julie Fulgham, Project Planner, presented a staff report (on file in the Development Services Department). Ms. Fulgham stated that the applicant, First Christian Church, is requesting a complete variance from the requirement to provide 11 off-street parking in conjunction with a proposed 2,218-square foot building addition. Ms. Fulgham advised that with any new construction, a parking analysis is required and additional parking must be built to accommodate the new construction. Institutional, religious, charitable, or philanthropic organizations require 1 parking space per 200 square feet of gross floor area for meeting space. Church sanctuaries require 1 parking space per 2 seats in the sanctuary. Staff recommends denial of this variance request because improving off-street parking from the initial building construction should not be ignored. The applicant owns several vacant lots adjacent to the sanctuary site which may accommodate the required off-street parking spaces for the new addition.

Commissioner Davila asked what staff is basing its parking space increases on. Ms. Fulgham stated that the 2,000+ square foot addition is the bases for the parking increase.

Commissioner Parks asked when the structure was built. Ms. Fulgham stated that it was built in the 1950s.

Commissioner Parks asked about Americans with Disabilities Act (ADA) requirements for the property. Ms. Fulgham stated that if no improvements are made to the site, no improvements are required.

The public hearing was opened.

Ms. Anita Raney, 508 East Pease, Bryan, Texas came forward to speak in favor of the request. She stated that she does not want to see a parking lot built on the church's property.

Mr. Leon Williamson, 106 East 26th, Bryan, Texas, representing the applicant, came forward to speak in favor of the request. He stated that the back part of the property would be inappropriate for the construction of a parking lot because of the large drainage ditch currently in place.

Commissioner Davila asked Mr. Williamson about the curbside ramps currently proposed for the property. Williamson stated that they would be built to make the property more accessible for handicapped individuals.

Commissioner Parks asked Mr. Williamson if the drop-off zone on the church property could be used for handicapped parking. Mr. Williamson stated that he would rather see on-street handicapped parking.

Ms. Nicky Hancock, 1008 Winter Street, Bryan, Texas came forward to speak in favor of the request. She stated that the trees that would be removed to build the parking lot would take away from the beauty of the neighborhood.

Mr. John Hoyle, 8409 Whiterose Court, College Station, Texas came forward to speak in favor of the request.

Ms. Caroline Hoyle, 8409 Whiterose Court, College Station, Texas came forward to speak in favor of the request. She stated that the new addition will help to better accommodate the handicapped population that frequents the church.

Mr. Arthur Wright, 1008 Holt Street, College Station, Texas came forward to speak in favor of the variance. He stated that there has never been a problem with church parking, even when their membership was much larger.

Ms. Sharon Pennell, 3506 Old Oaks, Bryan, Texas came forward to speak in favor of the request.

Ms. Joannette Phariss, 9204 Stonebrook Drive, College Station, Texas came forward to speak in favor of the request.

Ms. Andrea Scott, 1103 Haley Place, College Station, Texas came forward to speak in favor of the request. She stated that she does not feel the current on-street parking is unsafe for herself or her daughter.

Mr. James Carter, 3200 Wilderness Road, Bryan, Texas came forward to speak in favor of the request.

Mr. Robert McGee, 1603 Francis, College Station, Texas came forward to speak in favor of the request. He stated that the available on-street parking is adequate for current church attendance.

Mr. John Atterbury, 4912 Enchanted Oaks, College Station, Texas came forward to speak in favor of the request.

Commissioner Davila asked Ms. Fulgham if by requiring the 11 additional parking spaces any current on-street parking would be closed. Ms. Fulgham stated that it would not be affected but that it is the City of Bryan's policy to close as much on-street parking as possible.

The public hearing was closed.

Commissioner Parks moved to approve Planning Variance PV08-01, as requested, based on the following findings:

- **drainage issues on the property provide sufficient circumstance that prevent the ease of access to the proposed parking lot at this time;**

- approval of the variance is required for the long-term use of the property;
- this use occurs at a time when the surrounding land uses are inactive; and
- approval of the variance will not hinder orderly development because there is little other available land on the site to develop.

Commissioner Horton seconded the motion.

Chairperson Clark asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

7. Planning Variance PV08-02: George McDonald

R. Haynes

A request for approval of a variance from the minimum 200-foot lot depth generally required of lots in Commercial (C-3) zoning districts, to allow creation of two new lots, each of which would be only between approximately 156 feet and 152 feet deep, on 1.6 acres of land located at the east corner of Tabor Road (F.M. 974) and Clarks Lane, being parts of Block 1 in Lone Oak Acres Addition in Bryan, Brazos County, Texas.

Commissioner Clark reminded that this agenda item had been withdrawn at the request of the applicant and that there will be no public hearing on the matter.

REQUESTS FOR APPROVAL OF CONDITIONAL USE PERMITS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).

8. Conditional Use Permit CU07-15: Ali Jaffer

J. Fulgham

A request for approval of a conditional use permit to allow two duplexes on property in a Residential District – 5000 (RD-5) zoning district, specifically on property at 4205 and 4209 College Main, being Lots 1 thru 3 and the southeast 40 feet of Lot 4 in Block 4 of the Highland Park Addition in Bryan, Brazos County, Texas.

Ms. Julie Fulgham, Project Planner, presented a staff report (on file in the Development Services Department). Ms. Fulgham stated that the applicant desires to redevelop this property, which is currently occupied by single-family homes, with a duplex on each lot. Staff recommends approval of the conditional use permit because the proposed duplexes will be compatible with existing uses in the area, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features. Staff believes allowing duplexes at this particular location, in close proximity to Texas A&M University, will provide a useful transition between existing low-density residential uses east of the subject property and existing apartments west of the subject property along College Main.

Commissioner Parks asked how many total bedrooms will be in each duplex. Ms. Fulgham stated that there will be eight bedrooms in each duplex. One parking space is required for each bedroom.

Chairperson Clark commented that there are a number of legally non-conforming residential structures around the subject property.

The public hearing was opened.

Mr. Rabon Metcalf, 1391 Sea Mist, College Station, Texas, came forward to answer questions on behalf of the applicant. No one had any questions for Mr. Metcalf.

The public hearing was closed.

Commissioner Jones moved to approve Conditional Use Permit CU07-15, as requested, accepting the findings of staff. Commissioner Chavarria seconded the motion.

Chairperson Clark asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

REQUESTS FOR APPROVAL OF REZONING – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).

9. Rezoning RZ08-01: First Baptist Church of Bremond

M. Zimmermann

A request to change the zoning classification from Agricultural-Open District (A-O) to Office District (C-1) on 0.32 acres of land addressed at 2301 Old Hearne Road and located at the northeast corner of Old Hearne Road and Milberger Street in Bryan, Brazos County, Texas.

Mr. Martin Zimmermann, Senior Planner, presented a staff report (on file in the Development Services Department). Mr. Zimmermann stated that the applicants, First Christian Church of Bremond, are requesting to change the zoning classification of these 0.32 acres of land to Office District (C-1). The property was recently gifted to the applicants who now wish to make it available for sale. This property has been included in an A-O zoning district since the inception of zoning in Bryan in December 1989. Aerial photographs suggest that the subject property has been occupied by a commercial building and a parking lot since before 1989.

Staff recommends approving this request. Staff believes that in this particular case, C-1 zoning on the subject property will be consistent with land use recommendations of Bryan's Comprehensive Plan which suggests that office/light commercial uses are appropriate at locations that are convenient and accessible to residential areas. Staff believes that office uses on the subject property are appropriate in this particular environment.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Davila moved to recommend approval of Rezoning RZ08-01, as requested, accepting the findings of staff. Commissioner Jones seconded the motion.

Chairperson Clark asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

10. Rezoning RZ08-02: Conroe Welding Supply, Inc.

M. Zimmermann

A request to change the zoning classification from Agricultural-Open District (A-O) to Industrial District (I) on property at 1540 North Harvey Mitchell Parkway, approximately 1,400 – 1,700 feet south of the intersection of North Harvey Mitchell Parkway and State Highway 21, being 4.214 acres out of Stephen F. Austin League, A-9 in Bryan, Brazos County, Texas.

Mr. Martin Zimmermann, Senior Planner, presented a staff report (on file in the Development Services Department). Mr. Zimmermann stated that the subject 4.2 acres are part of a 6.77-acre property that adjoins the east side of the 1500 block of North Harvey Mitchell Parkway. Only the northern 2.5 acres of this 6.77-acre tract are currently zoned Industrial District (I). The southern portion of this property has been zoned Agricultural-Open District (A-O) since December 11, 1989, when Bryan first adopted zoning. The applicant, Mr. Ricky Morton of Conroe Welding Supply, Inc. recently purchased this 6.77-acre property. Mr. Morton is requesting to change the zoning classification of the south two-thirds of his property in order to be able to use the entire 6.77-acre tract for his industrial service firm, specifically a new industrial office and related accessory uses.

Staff recommends approving the request. Staff contends that extending the existing Industrial zoning district in this vicinity to also include the subject property is appropriate. The subject property adjoins North Harvey Mitchell Parkway, an urban freeway, and is surrounded on three sides by undeveloped land. Property to the north is currently occupied by an industrial user (Machine Works, Inc.) and zoned Industrial District. Industrial uses, e.g., Conoco Phillips and Budweiser, are also located west from the subject property across F.M. 2818 in an industrial park. Approximately one-third of the applicant's property is already zoned Industrial District. Approving the request will be consistent with land use recommendations of the Comprehensive Plan and allow for larger scale industrial development at this particular location.

The public hearing was opened.

Mr. Rabon Metcalf, 1391 Sea Mist, College Station, Texas came forward to speak on behalf of the property owner. No one had any questions for Mr. Metcalf.

The public hearing was closed.

Commissioner Chavarria moved to recommend approval of Rezoning RZ08-02, as requested, accepting the findings of staff. Commissioner Jones seconded the motion.

Chairperson Clark asked if there was any discussion.

Commissioner Parks stated that he would have liked to see this rezoning done "the first time".

The motion passed with a unanimous vote.

11. Rezoning RZ08-03: Key Energy Services, LLC

R. Haynes

A request to change the zoning classification from Agricultural-Open District (A-O) to Industrial District (I) on 1.907 acres of land adjoining the northwest side of State Highway 21 East between Wallis Road and Crosswind Drive across from Coulter Airfield, being part of Lot 1 in Block 1 of East Brazos Industrial Park – Phase 1 in Bryan, Brazos County, Texas.

Mr. Randy Haynes, Staff Planner, presented a staff report (on file in the Development Services Department). Mr. Haynes stated that the applicant is requesting the rezoning of 1.907 acres of land located on the north side of the 6100 block of East Highway 21, across from Coulter Field. The request was made to accommodate expansion of the workshop facilities of the oil field service company. As outdoor storage of equipment is required for this business, Industrial zoning is required for its operation in Bryan. The current use is a legally non-conforming (grandfathered) use in the AO zoning district.

Staff recommends denying Industrial zoning on all land encompassed within this request because:

- This area was annexed into the city limits in 2000 specifically to allow control of development along this corridor and allow long range planning that would benefit the community as a whole.
- The Comprehensive Plan reports that citizens are concerned with aesthetics of the entry corridors to Bryan. Goals of improving entrances were part of the comprehensive plan.
- During the last several years the community asset of Coulter Field has been recognized and a master plan for enhancing this resource has been adopted by the city council; and
- The transportation plan includes a connection of a major east outer loop that will occur in this immediate area. This intersection, planned as a super arterial with an interchange, will likely be a desirable location for office and retail uses.

The public hearing was opened.

Ms. Karen Hall, 6111 Highway 21 East, Bryan, Texas came forward to speak in favor of the rezoning.

Mr. Rabon Metcalf, 1391 Sea Mist, College Station, Texas came forward to speak on behalf of the property owner. He stated that the property owner is fully aware that they could build their addition outside the city limits in county property but wish to be in the City of Bryan.

The public hearing was closed.

Commissioner Bond moved to recommend approval of Rezoning RZ08-03, as requested, based on the following findings:

- **the area has traditionally been in industrial use;**

- **if rezoned to Industrial District, the site expansion would have to go through SDRC where landscaping and beautification requirements could be placed on the property to make the Highway 21 corridor more attractive; and**
- **this area will likely expand its Industrial uses.**

Commissioner Jones seconded the motion.

Chairperson Clark asked if there was any discussion.

Commissioner Jones commented that the rezoning is a step in the right direction for the city.

Commissioner Parks asked staff what the likelihood is of having the applicant adhere to the SDRC recommendations for the property if the rezoning is approved. Mr. Haynes stated that the city's record is "not good" in enforcing SDRC site requirements.

Mr. Kevin Russell commented that the city can only ask for landscape and parking improvements for additions to properties and not properties as a whole.

Commissioner Parks asked what kind of precedent would be set if the Planning and Zoning Commission voted against a recommendation that is based on the city-approved Comprehensive Plan. Mr. Haynes commented that the Commission's decisions stand on their own merit and are not entirely based upon precedent.

Commissioner Parks asked if the property is currently vacant. Mr. Haynes commented that it appears to be vacant.

Commissioner Davila asked if requirements can only be placed on the property based on the square footage of the addition. Mr. Kevin Russell commented that requirements can only be made on the addition to the property and not the entirety of the property.

Commissioner Davila commented that this decision is going to be difficult because of the requirement to look ten years into the future and plan for future land uses.

The motion passed with a vote of four (4) in favor and three (3) in opposition. Commissioners Chavarria, Parks, and Davila cast the votes in opposition.

12. Rezoning RZ08-04: Coulter Addition

R. Haynes

A city-initiated request to change the zoning classification from Residential District – 5000 (RD-5) to Retail District (C-2) on approximately 8.66 acres of land adjoining the west side of Groesbeck Street between Palasota Drive and Eden Lane, being Lots 18 thru 43 and Lot 53 of Coulter's Addition in Bryan, Brazos County Texas.

Mr. Randy Haynes, Staff Planner, presented a staff report (on file in the Development Services Department). Mr. Haynes stated that, as directed by the Planning and Zoning Commission at its regular meeting Thursday, December 6, 2007, city staff is moving forward to rezone several parcels of land located in the 1400 block of Groesbeck Street from Residential District 5000 (RD-5) to Retail District (C-2). This tract is currently occupied by single family residences, vacant land and a

restaurant. Recently a rezoning request was made for a portion of this subject tract. However, the decision was made to address the zoning of this area in a more comprehensive fashion.

Staff recommends approval of this request because the uses which will be allowed with the requested change will be generally appropriate in this area. Currently, there are several retail and industrial uses located in the immediate vicinity. The change will allow expansion of an existing neighborhood retail establishment which will work nicely in serving the adjoining residential properties. In addition, the functional classification of Groesbeck Street (Major Arterial) lends itself well to the uses allowed in this zoning district.

The public hearing was opened.

Ms. Elsa Cortez, 1414 Groesbeck, Bryan, Texas came forward and translated for her mother, Maria Cortez, 1414 Groesbeck, Bryan, Texas. Maria Cortez commented that she would favor to have the rezoning approved.

The public hearing was closed.

Commissioner Davila moved to recommend approval of Rezoning RZ08-04, as requested, accepting the findings of staff. Commissioner Jones seconded the motion.

Chairperson Clark asked if there was any discussion.

Commissioner Davila thanked staff for taking on this project and presenting it to the Planning and Zoning Commission.

Commissioner Bond complemented staff for preparing the rezoning request so quickly.

The motion passed with a unanimous vote.

13. ADJOURN

Without objection, Chairperson Clark adjourned the regular meeting at 7:46 p.m.

These minutes were reviewed and approved by the City of Bryan Planning & Zoning Commission on this the 17th day of **January, 2008**.

John Clark, Chairperson
Planning & Zoning Commission
City of Bryan, Texas

Lindsey Guindi, Planning Manager and
Secretary to the Planning and Zoning
Commission